

December 29, 1976

Dr. Michael Jacobson
Center for Science in the Public Interest
1757 S Street, N.W.
Washington, D.C. 20009

Dear Dr. Jacobson,

This is in reply to your letter of December 13th concerning food additives. The best I can recall the quotation is a paraphrase, that appeared with my approval in a popular magazine, of the position that I aggued at greater length in my article that appeared in "Hoe Safe Is Safe?" I guess my position is possibly more complicated than you would prefer, but I recommend that you read the article to get an account of it that I think I would still adhere to. I had an interesting debate at that time with Jim Turner and had been pleased to be able to continue that discussion from time to time.

As I said, it is not easy to summarize my position. But perhaps it might go something like this: the Delaney Amendment is a scientific monstrosity, but at least until recently has manifestly worked very strongly in the public interest. I would hope that we could come up with some still more rational solutions to the problem of balancing special interests, public hazards, benefits and risks; but until some clear-cut alternative is available, I would certainly not advocate revoking the amendment. Unfortunately we seem to be living in such an adversarial climate that criticism of the detail of a given approach is likely to be mistaken for a binary choice.

I can see what you have to complain about in the general thrust of the General Goods' propaganda. But I would be curious to know just what it was about the statement they chose to quote that you disagree about. Or is it just the identity of the quoter.

On another occasion, I wrote to commissioner Schmit and suggested that he attempt to impose an overall ban on all synthetic food colors regardless of the present state of evidence about their safety. My argument was that I did not believe that we had any scientific methodology that could convincingly prove that one color was safer than another and that the public was therefore being misled by the succession of individual actions and we were all-together being led through an extremely unproductive and painful series of decisions that strained the very limits of scientific validity. It would be more sensible, in my view, for the public to face the decision whether synthetic colors as a class have sufficient utility to be worth retaining or whether we would not be better off dispensing with them altogether in the light that any of them had essentially untestable potential hazards and the manifest benefit was so slight. Perhaps at some later date it may be possible

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to develop tests with greater sensitivity and scientific validity that could assure us about the relative safety of such synthetics, but at the present time I would submit that the cost of investigation probably exceeds their economic utility. At least this is a policy issue that I believe would be a more honest confrontation with what is at stake than what has been going on up until now.

Less you misunderstand me, my personal vote would be to exclude such colors. But this is based even more on my own low appreciation of their utility than it is on any sense of real hazard from their intake. I would not want to impose my preferences on others without their having an informed opportunity to cast their own vote.

I am also sensitive to the extent to which the imbalance of power in the marketplace constrains the hypothetical "free choice" of the consumer to decide whether or not to intake food additives. I wish I could find a way in which that problem could be ameliorated on its own merits rather than oblige us to seek preemptory regulation that makes such decisions on behalf of consumers. I have no very good ideas on that question, but something along the lines of the EPA policy that at one time mandated that lead-free gasoline at least be made quite generally available might be a basis for some further thinking about the food additive question.

These remarks were intended as a personal response. I have not spent a great deal of time thinking about how they might be viewed or possibly misinterpreted by others. So, I hope you will not use them further without consulting me about it.

Sincerely yours,

Joshua Lederberg
Professor of Genetics

JL/rr
Enclosure